

**IN THE UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF
WEST VIRGINIA**

MARTINSBURG DIVISION

HOMELAND TRAINING CENTER, LLC,

Plaintiff,

v.

**Civil Action No. 3:07-cv-160
Judge Bailey**

**SUMMIT POINT AUTOMOTIVE
RESEARCH CENTER, LLC *et al.***

Defendants.

MOTION TO ENTER ORDER EXTENDING EXPERT DISCLOSURE DEADLINE

COMES NOW Defendants/Third-Party Plaintiffs Summit Point Automotive Research Center, LLC and the William Scott Inter Vivos Trust ("SPARC"), by counsel, and ask that the Court enter the attached order which extends SPARC's expert disclosure deadline to August 1, 2010.

Opposing counsel has agreed to the extension (see attached e-mail), and such extension does not affect the trial date.

Therefore, SPARC respectfully asks that the Court enter the attached agreed order.

s/ Wm. Richard McCune, Jr.

Wm. Richard McCune, Jr., Esq. (#2429)

Alex A. Tsiatsos, Esq. (#10543)

Wm. Richard McCune, Jr., P.L.L.C.

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**Civil Action No. 3:07-cv-160
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**SUMMIT POINT AUTOMOTIVE RESEARCH
CENTER, LLC et al.**

Defendants.

CERTIFICATE OF SERVICE

I, the undersigned attorney, counsel for Defendants Summit Point Automotive Research Center, individually and in its capacity as trustee of the William Scot Inter Vivos Trust in the foregoing action, hereby certify that on this 17th day of May 2010, I served a true and accurate copy of the foregoing **Motion to Enter Order Extending Expert Disclosure Date** and proposed **Order** by first class mail postage prepaid to the following:

J.H. Mahaney, Esq.
Huddleston Bolen, LLP
P.O. Box 2185
611 Third Ave.
Huntington, WV 25701

s/ Wm. Richard McCune, Jr.

Wm. Richard McCune, Jr. (WV Bar #2429)
Alex A. Tsiatsos (WV Bar #10543)

Richard McCune

From: "JHM" <jmahaney@huddlestonbolen.com>
To: "Richard McCune" <mccunelawofc@verizon.net>
Cc: "J H Mahaney" <jmahaney@huddlestonbolen.com>
Sent: Wednesday, May 12, 2010 8:26 AM
Subject: Re: HTC v. Summit Point

I have no problem with such an extension. JH

Sent from my iPhone

On May 12, 2010, at 8:21 AM, "Richard McCune" <mccunelawofc@verizon.net> wrote:

Mr. Mahaney,

The last week of June I am scheduled to be out of the office. That gives me three weeks to complete all expert discovery depositions and the deposition of your client. The order of the depositions is important to me, and I don't wish to alter it. I also will be required to respond by naming experts of my own in response to the information that I learn in those depositions.

As you know, depositions have to be transcribed. They will then need to be passed to others for consideration. Pushing all depositions back to June and then trying to crowd them into three weeks and then get them transcribed and then get them reviewed by experts of my own seems impractical.

I'm willing to try to get all of the depositions taken in June. Please let me know if, under the circumstances, we may have until the 1st of August to name our experts. If so, we'll prepare a stipulation to that effect and provide it to the Court for its consideration.

Richard McCune

5/12/2010

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HOMELAND TRAINING CENTER, LLC,

Plaintiff,

v.

**Civil Action No. 3:07-cv-160
Judge Bailey**

**SUMMIT POINT AUTOMOTIVE
RESEARCH CENTER, LLC** individually
and in its capacity as trustee of the
WILLIAM SCOTT INTER VIVOS TRUST

Defendants/Third-Party Plaintiffs,

v.

HOMELAND SECURITY CORPORATION,

Third-Party Defendant.

ORDER

Pursuant to an agreement between the parties, and for good cause shown, the Court hereby
ORDERS that the Defendants/Third-Party Plaintiffs shall have until August 1, 2010 to disclosure
experts in this matter.

The Clerk is directed to transmit copies of this order to all counsel of record.

It is so ORDERED.

Dated: _____

The Honorable John P. Bailey
United States District Judge